

REMARKS

In this response, Claims 1-29 are canceled without prejudice and new Claims 30-57 have been added. Support for the new claims can be found at least on pages 10-17 of the Applicant's specification, as originally filed. Thus, Claims 30-57 are now pending in this application.

The non-final Office Action issued by the Examiner on August 9, 2007 (the "Office Action") has been carefully considered. In the Office Action, the Examiner objected to the drawings filed on September 17, 2003, specifically the omission of the reference sign corresponding to Video Distribution System 10. A corrected replacement drawing sheet that includes the reference sign for Video Distribution System 10 and that is in compliance with 37 CFR 1.121(d) is attached herein.

In the Office Action, the Examiner also made various rejections, and in particular, relied upon Utsumi et al. (USPN 5,729,281) ("Utsumi") in view of Bigham et al. (USPN 5,740,075) ("Bigham") in rejecting Claims 1-3, 7, 13, 16-19 and 24-28 under 35 U.S.C. §103(a) as being unpatentable.

New Claims 30-50 (including independent Claims 30, 46, and 53) are set forth herein and believed by Applicant to be distinguishable over the prior art of record, either individually or in combination.

Claim 30 recites "receiving, via a cabling port at the local service module, a channel selection request" and "transmission via cabling." In contrast, Utsumi discloses "transmit[ting] an up signal for requesting the signal to the selective distribution station 10₂ by a radio signal" (col. 10; lns. 21-23; emphasis added). The radio signal of Utsumi is not received via cabling as recited in Applicant's claim 30.

Further, Bigham discloses "chang[ing] the channel allocation ... by reprogramming the remodulator 2136 and the analog signal processor 2142" (col. 41; lns. 27-30). This reprogramming by Bigham is not a channel selection request as recited by Applicant's Claim 30.

Claim 46 recites a local service module comprised of “a combiner adapted to combine the converted video channel . . . with at least one other video channel.” In contrast, Utsumi discloses “[transmitting] only the signal on the channel requested to be received . . . from the selective distribution station to the subscriber’s receiving device” (col. 2; Ins. 50-52). This transmission of only a signal on the channel requested by Utsumi is not combined with at least one other video channel as recited by Applicant’s Claim 46.

Claim 46 also recites “a plurality of converters adapted to convert to a predetermined frequency [a] video channel.” Bigham, however, fails to disclose such a plurality of converters and instead discloses an “RF combiner . . .[that] enables passive combining of different baseband analog video signals.”

Claim 53 recites a local service module that combines a converted video channel “with another video channel into a multiplexed signal.” In contrast, Utsumi discloses “[transmitting] only the signal on the channel requested to be received . . . from the selective distribution station to the subscriber’s receiving device” (col. 2; Ins. 50-52). This transmission of only a signal on the channel requested by Utsumi is not combined with at least another video channel as recited by Applicant’s Claim 53.

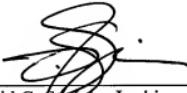
Claim 53 also recites “a...plurality of converters in the local service modules for conversion [of a video channel] into at least one predetermined frequency.” Bigham, however, fails to disclose such a plurality of converters and instead discloses an “RF combiner . . .[that] enables passive combining of different baseband analog video signals.”

Thus, for at least the reasons set forth above, Utsumi and Bigham do not teach or suggest the method of Claim 30 nor the systems of Claim 46 or Claim 53. Applicant’s dependent claims depend, directly or indirectly, from Applicant’s independent claims 30, 46, and 53 and are believed allowable for at least the reasons discussed above.

Applicant therefore respectfully requests the reconsideration of this application and the allowance of all pending claims. It is respectfully submitted that the new claims successfully

traverse the prior art of record and that the application is now in order for allowance. Applicant believes that the Examiner's other arguments not discussed above are moot in light of the above arguments, but reserves the later right to address these arguments. Accordingly, reconsideration of the application and allowance thereof is courteously solicited.

Respectfully submitted,



David C. Larkind-Larkin
Reg. No. 56,924

Date: November 12, 2007

Customer Number 33717
GREENBERG TRAURIG, LLP
2450 Colorado Avenue, Suite 400E
Santa Monica, CA 90404
Phone: (303) 685-7419
Fax: (720) 904-6119
E-mail: larkind@gtlaw.com